



05-21-03

DT16 Rec'd PCT/PTO 20 MAY 2003

Docket No: AM100062
PatentIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of: SATISHCHANDRAN, Chandrasekhar and PACHUK, Catherine J.
Application No.: 10/030,960 Group Art No.:
Filed: June 27, 2000 Examiner: Barbara A. Campbell
For: METHODS AND COMPOSITIONS FOR PREVENTING THE
FORMATION OF ABBERRANT RNA DURING TRANSCRIPTION
OF A PLASMID SEQUENCE
Confirmation No.: 2832
Customer Number: 25291

Mail Stop DD
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT1. Preliminary Statements

In accordance with 37 CFR 1.97 and 1.98, Applicants submit herewith patents, publications, or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56. This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) the information is material to the examination of this application; (iii) additional information material to the examination of this application does not exist; (iv) the information, protocols, results and the like reported by third parties are accurate or enabling; or (v) the information constitutes prior art to the subject invention.

CERTIFICATE OF MAILING 37 CFR §1.10

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EU238370451US addressed to the Mail Stop DD, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

05/20/03
Date
Anand P. Iyer

2. Identification of Time of Filing

This Information Disclosure Statement

- a. ☐ is filed within three months of the filing date of the application.
- b. ☒ is filed before the mailing date of a first Office Action on the merits.
- c. ☐ is filed before the mailing date of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.
- d. ☐ is filed after the period specified in 2(a), 2(b) or 2(c) above, but before the mailing date of a final action under 37 CFR 1.311. This statement includes a certification under 37 CFR 1.97(e) or the fee set forth in 37 CFR 1.17(p).
- e. ☐ is filed after the mailing date of a final action or Notice of Allowance but before payment of the issue fee. This statement includes (i) a certification under 37 CFR 1.97(e), and (ii) the fee set forth in 37 CFR 1.17(p).

3. ☐ Certification under 37 CFR 1.97(e) and 1.704(d)
The undersigned attorney certifies

- a. ☐ that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement, or
- b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the statement.
- c. ☐ The undersigned attorney certifies that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign application patent office in a counterpart foreign application and was not received by any individual designated in 37 CFR 1.56(c) more than thirty (30) days prior to the filing of the statement.

☒ Newly Cited Information
A legible copy of the patents, publications or other information cited on the attached form PTO 1449 is enclosed, except that no copy of a pending U.S. application is enclosed.

☐ Previously Cited Information
No copy of the patents, publications or other information cited on the attached form PTO-1449 is enclosed because it has been previously cited by or submitted to the Office in a prior application which is relied upon for an earlier filing date under 35 USC 120.
Prior application is Application Number _____, filed on _____ of _____ for _____.

- ☐ Concise Explanation
Documents cited above which are not in the English Language
- a. ☐ have been explained in the specification.
- b. ☐ have an abstract (or other concise explanation) in English enclosed or if readily available a translation into English of the document is enclosed.

Form PTO-1449 is enclosed in duplicate.

- ☐ Fees
- ☐ Fee for filing under 37 CFR 1.97(c) or (d) Fee: \$180.00

Method of Payment of Fees:
Charge Deposit Account No. 01-1425 in the amount of \$0.00.

Instructions as to Overpayment/Underpayment:
Credit any overpayment and charge any underpayment to Deposit Account No. 01-1425.



Carol E. Rozek

Reg. No. 36,993

Wyeth
Patent Law Department
Five Giralda Farms
Madison, NJ 07940
Tel. No. (845) 602-2189

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/030,960
				Filing Date	June 27, 2000
				First Named Inventor	C. J. Pachuk & C. Satishchandran
				Group Art Unit	
				Examiner Name	Barbara A. Campbell
				Attorney Docket Number	AM100062

OIP
 MAY 20 2003
 PATENT & TRADEMARK

Sheet	1	of	2
-------	---	----	---

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number (If known)	Kind Code (If Known)			
	1.	5,593,972		David B. Weiner et al.	01-14-1997	
	2.	5,643,771		Bruce Arnold D. Stocker	07-01-1997	
	3.	5,703,055		Phillip L. Feigner et al.	12-30-1997	
	4.	5,739,118		Richard A. Carrano et al.	04-14-1998	
	5.	5,824,538		Arthur A. Branstrom et al.	10-20-1998	
	6.	5,837,533		Raymond H. Boutin	11-17-1998	
	7.	5,877,159		Robert J. Powell et al.	03-02-1999	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	Number	Kind Code (If Known)				
	8.	WIPO	WO94/16737		David B. Weiner et al.	08-04-1994		<input type="checkbox"/>
	9.	WIPO	WO95/29244		James S. Malter	11-02-1995		<input type="checkbox"/>
	10.	WIPO	WO96/10038		Raymond H. Boutin	04-04-1996		<input type="checkbox"/>
	11.	WIPO	WO96/19573		Genevieve Delcuve	06-27-1996		<input type="checkbox"/>
	12.	WIPO	WO97/44450		John A. Peyman	11-27-1997		<input type="checkbox"/>
	13.	WIPO	WO98/10088		James M. Wilson and Nancie Chen	03-12-1998		<input type="checkbox"/>
	14.	WIPO	WO99/10509		David J. Lipman	03-04-1999		<input type="checkbox"/>
	15.	WIPO	WO99/14346		Tod Woolf	03-25-1999		<input type="checkbox"/>

OTHER PRIOR ART — NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T	
	16.	Hatfield et al., Molecular and Cellular Biology, 3: 1687-1693 (1983)	<input type="checkbox"/>	
	17.	Devereux et al., Nucleic Acids Research, 12: 387-395 (1984)		
	18.	Boshart et al., Cell, 41: 521-530 (1985)		
	19.	Chou et al., Biochemistry, 28: 2422-2435 (1989)		
	20.	Chou et al., Biochemistry, 28: 2435-2443 (1989)		
	21.	Chaix et al., Nucleic Acids Research, 17: 7381-7393 (1989)		
	22.	Odai et al., Nucleic Acids Research, 21: 105-106 (1989)		
	23.	Matsumoto et al., Proc. Natl. Acad. Sci. USA, 87: 7628-7632 (1990)		
	24.	Cameron & Jennings, Nucleic Acids Research, 19: 469-475 (1991)		
	25.	Tsagris et al., Nucleic Acids Research, 19: 1605-1612 (1991)		
	26.	Chodchoy et al., Molecular and Cellular Biology, 11: 497-509 (1991)		
	27.	Enriquez-Harris et al., EMBO Journal, 10: 1833-1842 (1991)		
	28.	Gossen & Bujard, Proc. Natl. Acad. Sci. USA, 89: 5547-5551 (1992)		
	29.	Grasby et al., Nucleic Acids Research, 21: 4444-4450 (1993)		
	30.	Wang & Kool, Nucleic Acids Research, 22: 2326-2333 (1994)		
	31.	Ford & Ares, Proc. Natl. Acad. Sci. USA, 91: 3117-3121 (1994)		
	32.	Nilsson et al., Science, 265: 2085-2088 (1994)		
	33.	Beaudry & Perreault, Nucleic Acids Research, 24: 3064-3066 (1995)		
	34.	Gossen et al., Science, 268: 1766-1769 (1995)		
	35.	Zubiaga et al., Molecular and Cellular Biology, 15: 2219-2230 (1995)		
	36.	Curatola et al., Molecular and Cellular Biology, 15: 6331-6340 (1995)		
	37.	Zaphiropoulos, Proc. Natl. Acad. Sci. USA, 93: 6536-6541 (1996)		

Examiner Signature	Date Considered	
--------------------	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

O I P F Substitute for form 1449/PTO MAY 20 2003 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known Application Number 10/030,960 Filing Date June 27,2000 First Named Inventor C. J. Pachuk & C. Satishchandran Group Art Unit Examiner Name Barbara A. Campbell Attorney Docket Number AM100062	
Sheet	2	of	2

OTHER PRIOR ART — NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	38.	No et al., Proc. Natl. Acad. Sci. USA, 93: 3346-3351 (1996)	
	39.	Braun et al., Nucleic Acids Research, 24: 4152-4157 (1996)	
	40.	Xu et al., Nucleic Acids Research, 24: 3643-3644 (1996)	
	41.	Emerich et al., The Journal of Neuroscience, 16: 5168-5181 (1996)	
	42.	Zolotukhin et al., Journal of Virology, 70: 4646-4654 (1996)	
	43.	Davison et al., Biomedical Peptides, Proteins & Nucleic Acids, 1: 1-6 (1996)	
	44.	Kadokura et al., Nucleic Acids Symposium Series, 37: 77-78 (1997)	
	45.	Zhang et al., Nucleic Acids Research, 25: 3980-3983 (1997)	
	46.	Magari et al., J. Clin. Invest., 100: 2865-2872 (1997)	
	47.	Wang et al., Gene Therapy, 4: 432-441 (1997)	
	48.	DiNocola et al., Cancer Gene Therapy, 5: 350-356 (1998)	
	49.	Jorgensen et al., Science Magazine, 279: 1486-1487 (1998)	
	50.	Kennerdell & Carthew, Cell, 95: 1017-1026 (1998)	
	51.	Harvey & Caskey, Current Opinion in Biology, 2: 512-518 (1998)	
	52.	Andr� et al., Journal of Virology, 72: 1497-1503 (1998)	
	53.	Timmons & Fire, Nature, 395: 854 (1998)	
	54.	Fire et al., Nature, 391: 806-811 (1998)	
	55.	Gryaznov & Winter, Nucleic Acids Research, 26: 4160-4167 (1998)	
	56.	Montgomery et al., Proc. Natl. Acad. Sci. USA, 95: 15502-15507 (1998)	
	57.	Kohn et al., Nature Medicine, 4: 775-780 (1998)	
	58.	Misquitta & Paterson, Proc. Natl. Acad. Sci. USA, 96: 1451-1456 (1999)	
	59.	Bahramian & Zarbl, Molecular and Cellular Biology, 19: 274-283 (1999)	
	60.	Gusarov & Nudler, Molecular Cell, 3: 495-504 (1999)	
	61.	Bogden et al., Molecular Cell, 3: 487-493 (1999)	
	62.	Varticovski et al., Journal of Controlled Release, 74: 275-281 (2001)	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.